

REMARKS

Claims 1, 2, 4, 5, 22-26, 28 and 29 are pending.

Claim 28 has been amended herein to correct minor typographical errors.

All of the pending claims have been rejected under 35 U.S.C. §102(b) over newly cited Damico U.S. Patent No. 4,579,486. Applicant respectfully traverses this rejection of the claims.

Damico discloses a simply constructed hole saw guide for cutting a new hole in a work piece which partially overlaps or surrounds an existing hole in the work piece (column 1, lines 36-40 and Fig. 1). That is, as best illustrated in Fig. 2, the guide 2 is located inside an existing hole 40 with the three guide arms 30 variously extended to engage the inner circumferential surface 44 of the hole 40 so as to position the guide hole 28 (eccentrically in Fig. 2) from the center of the hole 40 so that a different eccentric hole 46 can be cut by the lower cutting edge 8 of the hole cutting assembly 4 (see Fig. 1)

The advantage of the Damico hole saw guide is that it does not require extraordinary clamping and guiding means as would otherwise be required (column 1, lines 59-63), with the guide being especially useful if a hard material such as metal is cut in order to prevent the hole saw from walking around the work piece when starting to cut a hole (column 1, lines 19-26).

It is respectfully submitted that the hole saw/hole saw guide shown in Fig. 1 of Damico do not represent a dowel, as alleged by the Examiner. This hole saw belongs to an entirely different technical field (Int. Cl. B23B 49/00 versus Int. Cl. E04F 13/08 for the inventive dowel). Moreover, whereas a dowel is a device which is used to hold compo-

nents together, Damico is a device used to cut a hole in one component (and does not hold two components together), and the entire structure of the Damico device is removed from the hole location after the hole is cut (again, certainly not something which would thereafter hold separate components together like a dowel).

Simply put, Damico is a drill structure only, and Damico would simply not be considered by the person skilled in the art when addressing dowels. Moreover, even if Damico were considered, it would teach nothing of relevance to those skilled in this art. The hindsight matching of a few components of the invention to components of the completely different Damico device cannot and would not teach the claimed invention.

Further, the claims clearly recite differences from the Damico structure, making the 35 U.S.C. §102(b) rejection inappropriate. For example, contrary to the assertion in the Office Action, the top 12 of the Damico hole saw is not a pressing plate of a dowel such as recited in all of the claims (e.g., "dowel (1) having a pressing plate (13)" in claim 1). Still further, also contrary to the assertion in the Office Action, the threaded hole 10 in Damico is not in any way a dowel sleeve arranged at the pressing plate in order to receive an expansion element, nor is the saw top 12 an "expansion element head" as asserted in the Office Action as variously recited in all the independent claims (in fact, Damico's saw top 12 does not involve expansion of any sort). Neither does the hole 10 in Damico include an expansion zone as also recited in the claims (e.g., all of the independent claims recite that "the dowel sleeve (15) comprises an expansion zone (18)").

Independent claims 1, 28 and 29 of the present invention are thus not only novel over Damico but, as previously noted, there is nothing in Damico cutting saw which

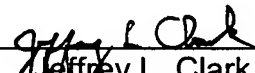
would translate in any meaningful way in the manner taught by Applicant's invention providing a deepened mounting of dowels in insulating material.

Accordingly, all of claims 1, 2, 4, 5, 22-26, 28 and 29 are respectfully submitted to be allowable. Early notification to that effect is respectfully requested.

Respectfully submitted,

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